

NICHOLAS A. TRUTANICH
United States Attorney
District of Nevada
Nevada Bar Number 13644
ALLISON REESE
Nevada Bar Number 13977
Assistant United States Attorney
501 Las Vegas Blvd. South, Suite 1100
Las Vegas, Nevada 89101
Phone: (702) 388-6336
Email: allison.reese@usdoj.gov
Attorneys for the United States of America

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

RENATO CONSUEGRA-CLEMENTE,

Defendant.

Case No.: 2:20-cr-00018-JCM-EJY

**Government's Motion to Strike
Defendant's *Pro Se* Filing (ECF No. 32)**

On January 19, 2021, Defendant Renato Consuegra-Clemente filed a Motion Requesting Pre-Trial Release (ECF No. 32). However, Consuegra-Clemente's counsel of record is Paul Riddle of the Federal Defender's Office. ECF No. 20. Thus, Consuegra-Clemente's filing was filed in violation of this Court's precedent and local rules. *See United States v. Gallardo*, 915 F. Supp. 216, 217-18 n.1 (D. Nev. 1995), *aff'd* 92 F.3d 1194 (9th Cir. 1996) (table) (holding that a Defendant cannot file *pro se* documents when he is represented by counsel and has not unequivocally invoked his constitutional right to self-representation); Local Rule IA 11-6(a) (explaining that a represented party may not appear *pro se* and only an attorney of record is recognized by the Court); Local Rule IA 11-6(b) (explaining that no attorney may withdraw after appearing in a case except by leave of the court).

1 Neither has Consuegra-Clemente's demonstrated a "special need" for hybrid
2 representation. *United States v. Olano*, 62 F.3d 1180, 1193 (9th Cir. 1995). Consuegra-Clemente
3 has not offered any reason that consulting with his attorney is insufficient for his representation,
4 and there is nothing in the record that suggests that Consuegra-Clemente's counsel is not
5 properly consulting with him or not providing effective representation. Accordingly, the
6 government respectfully requests that the Court strike Consuegra-Clemente's Motion
7 Requesting Pre-Trial Release (ECF No. 32).¹

8 DATED: January 20, 2021

9 Respectfully submitted,

10 NICHOLAS A. TRUTANICH
United States Attorney

11 /s/ Allison Reese

12 ALLISON REESE
Assistant United States Attorney
13 Attorneys for Plaintiff
14 UNITED STATES OF AMERICA

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23 ¹ Should the Court deny this motion, the government respectfully requests that the Court reset
24 the deadline for the government to respond to Consuegra-Clemente's Motion Requesting Pre-
Trial Release (ECF No. 32) from the date of entry of the order.

CERTIFICATE OF SERVICE

I certify that I am an employee of the United States Attorney's Office. A copy of the foregoing **Government's Motion to Strike Defendant's Pro Se Filing** was served upon Defendant's counsel of record, via Electronic Case Filing (ECF), and via U.S. Mail to Defendant at:

Renato Consuegra-Clemente #56157-048
Nevada Southern Detention Center
2190 E. Mesquite Ave.
Pahrump, NV 89060

DATED January 20, 2021.

/s/ Allison Reese

ALLISON REESE
Assistant United States Attorney